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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ W.P.(C) 6378/2023 & CM APPL. 51499/2023 –Stay.
CM APPL. 19080/2024 –Dir. (R-6).

**MANAV SAMAJ SUDHAR SURAKSHA SANSTHA NGO
THROUGH ITS VICE PRESIDENT NUSRATULLAH KHAN**

.....Petitioner

Through: Mr. Alamgir, Adv.

Versus

THE COMMISSIONER & ORS.Respondents

Through: Ms. Vrinda Kapoor, Mr. Saumya Soni
& Mr. Vishal Vaid, Advs. for R-
DDA.
SI Akashdeep, P.S. Jamia Nagar.

**CORAM:
HON'BLE MS. JUSTICE REKHA PALLI
HON'BLE MR. JUSTICE SAURABH BANERJEE**

**ORDER
26.11.2024**

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1. The present writ petition was filed primarily seeking the following relief:

“Direct the respondents No. 1 to 5 to remove the building materials putting by the respondent no. 6 and 7 and also stop the illegal and unauthorized construction of wall and also remove parked vehicles and also putting jhuggis and hatched money in the name of parking of vehicles in connivance with local leaders, and police after encroachment of the govt. land in khasra no. 249 Gali No.7, Yamuna Pusta land measuring 5 bighas 4 biswa situated at Village Joga Bai Okhla, New Delhi and which



is acquired land by DDA on 13.06.2013 but the local builders and land grabbers are continuously encroaching the above said land for making illegal and unauthorized construction of wall with intention to grab the said govt. land.”

2. Since then, as of today it is an admitted case of the parties that during the pendency of the present writ petition, the respondent no. 3/DDA has taken steps to remove encroachments on the aforesaid land and in fact now the said land has been fenced. We, therefore, find no reason to keep the present petition pending any further.
3. At this stage, learned counsel for the petitioner submits that even though the encroachments were initially removed, he has instructions to state that some fresh encroachers are occupying the said land. SI Akashdeep from Police Station, Jamia Nagar, New Delhi who is present in Court, however, refutes this position and submits that a Beat Constable has been deputed by the SHO, Jamia Nagar, New Delhi who is doing regular rounds of the land in issue and as per his information, the land in question has not been encroached as sought to be urged by the petitioner.
4. In the light of this categorical stand taken by SI Akashdeep, we are unable to accept the petitioner's plea that the said land again stands encroached. The present writ petition with respect to govt. land in khasra no. 249 Gali No.7, Yamuna Pusta land measuring 5 bighas 4 biswa situated at Village Joga Bai Okhla, New Delhi is accordingly disposed of.
5. However, be that as it may the SHO, Jamia Nagar, New Delhi is



directed to ensure that the land in question is not permitted to be encroached.

REKHA PALLI, J

SAURABH BANERJEE, J

NOVEMBER 26, 2024
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